

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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IN RE GRAND JURY SUBPOENA  
PROCEEDING v. CORREIA, et al

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) Docket No. 05-MC-10206-MBB  
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**ASSENTED-TO MOTION FOR RELEASE**

Maurice Correia, an Indian national and a material witness in the above-captioned grand jury proceeding, hereby moves the Court, with the assent of the government, to release him pursuant to 18 U.S.C. § 3144. As support for this Motion, Correia states as follows:

1. On May 19, 2005, in connection with a grand jury proceeding involving alleged improper discharges of oil on the MSC Elena, a foreign flag cargo vessel, the government applied for – and this Court issued – material witness warrants under 18 U.S.C. § 3144 against, *inter alia*, Correia.

2. On May 20, 2005, Correia appeared before the Court and was released pursuant to certain conditions. One of these conditions requires Correia to remain in Boston.<sup>1</sup>

3. Mr. Correia has an infant child at home in India that he has never seen as a result of his continued detention as a material witness in the United States. Further, his wife has been experiencing complications (apparently serious) from childbirth for the past several months. Just yesterday, Correia was informed by his brother in India that his wife and older daughter have been involved in a motor vehicle accident, which caused fairly significant injuries to his wife.

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<sup>1</sup> On May 24, 2005, the Court granted a motion to modify one of the conditions of release (*i.e.*, since that date, Correia has been lodged at the Mariners House in Boston, rather than the Holiday Inn at Logan Airport).

4. The undersigned has agreed to accept service of a grand jury subpoena on behalf of Correia, in the (unlikely) event that the government needs to take his testimony in an as yet un-filed criminal action. As a condition of this release, Correia has agreed to appear and provide testimony in connection with any such proceeding.

5. Under these circumstances, the interests of justice militate in favor of Correia's release.

6. The government assents to this Motion.

WHEREFORE, Correia respectfully requests that the Court grant this Motion and order his release.

Respectfully submitted,

Maurice Correia

By his Attorneys,

/s/ Douglas S. Brooks

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Dated: December 7, 2005